

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.:
)	
Plaintiff,)	
)	
v.)	
)	
JESUS AMAYA,)	
)	
Defendant.)	
)	

This is an action by the United States of America to recover damages from Defendant Jesus Amaya for submitting false claims for unemployment insurance benefits to the United States Railroad Retirement Board (“USRRB”) from September 2, 2019 – August 3, 2020 resulting in his improper receipt of \$24,006.83.

PARTIES

1. The Plaintiff in this action is the United States of America (“United States”).
2. The Defendant is Jesus Amaya, a resident of Toledo, Ohio (“Defendant”).

JURISDICTION AND VENUE

3. This action is brought by the United States under the False Claims Act (“FCA”), 31 U.S.C. §§ 3729-33.
4. This court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1345.

5. Venue is proper in this district pursuant to 31 U.S.C. § 3732(a) because the Defendant resides in this district.

FACTS

6. Norfolk Southern Railroad (“Norfolk Southern”) employed the Defendant from May 2005 until April 2019 when Defendant was suspended. Defendant was ultimately fired.

7. After he was suspended from his employment with Norfolk Southern, Defendant became eligible for unemployment insurance benefits from the USRRB. The USRRB takes the place of Social Security for railroad workers and functions to, among other things, administer comprehensive retirement, disability, and unemployment benefits to railroad workers.

8. In order to be eligible to receive unemployment benefits from the USRRB, an individual must be unemployed and must report all full-time and part-time work performed to the USRRB for each claim for benefits filed.

9. On April 17, 2019, Defendant executed USRRB form UI-35 in order to obtain unemployment insurance benefits from the USRRB. In the form UI-35, Defendant stated that he had received a booklet containing the rules and regulations for unemployment insurance benefits, that he understood that he had to immediately report any changes that might affect his entitlement benefits, and that he understood that civil and/or criminal penalties could be imposed for submitting any false or fraudulent statements to the USRRB or for withholding any information from the USRRB in connection with his unemployment insurance benefits.

10. Defendant received unemployment insurance benefits from USRRB from September 2019 through August 2020. He also received CARES Act monies which were included in his benefits from April 8, 2020 to July 20, 2020.

11. In April 2019, Defendant began employment with First Solar, Inc., where he is still employed.

12. Defendant did not report his employment with First Solar, Inc. to the USRRB as he was required to do.

13. Thus, during the unemployment insurance period of September 2, 2019 to August 3, 2020, Defendant submitted 25 false claims to the USRRB in order to obtain unemployment insurance benefits.

14. As a consequence of his actions, Defendant received \$12,966.83 in unemployment insurance benefits and \$11,040.00 in CARES Act monies.

COUNT I

FALSE CLAIMS ACT - 31 U.S.C. § 3729(a)(1)(A)

15. Plaintiff realleges and readopts the allegations set forth in the preceding paragraphs as if fully rewritten herein.

16. This is a claim for damages under the False Claims Act, 31 U.S.C. § 3729(a)(1)(A).

17. By the acts described above from September 2, 2019 to August 3, 2020, Defendant knowingly presented false or fraudulent claims for payment or approval to the United States in violation of 31 U.S.C. § 3729(a)(1).

18. By reason of Defendant's acts, the United States has been damaged.

WHEREFORE, Plaintiff prays that judgment be entered in its favor and against the Defendant for the amount of the Plaintiff's damages for each false claim as allowed by law against Defendant.

Respectfully submitted,

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